Office of the Privacy Commissioner of Canada

2015-16

Departmental Performance Report

(Original signed by)

The Honourable Jody Wilson-Raybould, P.C., Q.C., M.P.
Minister of Justice and Attorney General of Canada

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Message from the Privacy Commissioner of Canada

I am pleased to present the Departmental Performance Report of the Office of the Privacy Commissioner of Canada for the fiscal year ending March 31, 2016.

Much of our focus over the past year has been on defining and beginning to advance the four strategic privacy priorities that will guide the proactive work my Office does over the next five years. As we work to address mounting pressures on privacy, the four priorities—economics of personal information, reputation and privacy, government surveillance, and the body as information—have been strategically integrated into all of our work to allow us to make the best use of our resources, to channel our efforts where we can have a greater impact for Canadians.

This past year once again reinforced just how much the unrelenting speed of technological change and the increasing demand for personal information by both the public and private sectors have transformed the privacy landscape. These factors are outpacing existing privacy protections, and pose both legal and ethical challenges for legislators and regulators. Not only is my Office seeing an increase to both the volume and complexity of our work, but these changes are influencing Canadians' concerns about their inability to maintain control over their personal information in their interactions with businesses and federal institutions.

Even though my Office is faced with mounting investigative pressures and a number of new responsibilities brought about by new directives and laws, our funding has remained steady in recent years and there is currently no increase forecasted. With this in mind, we continued nevertheless to improve services to Canadians over the past year, making a number of enhancements to processes, further leveraging new procedures and approaches, and maintaining flexibility in service delivery and use of compliance tools.

There is no doubt that technology will continue to advance quickly, outpacing our ability to be as effective as possible. Ensuring we can continue to provide Canadians with the level of privacy protection they expect and deserve, while helping to maintain their trust in government and the digital economy, is an increasingly challenging goal. However, we remain highly motivated, and I have confidence in my staff-who continually demonstrate excellence and commitment to our work. This report details a number of important achievements undertaken by my Office on behalf of Canadians, maximizing the resources available, in order to ultimately increase their privacy protection and their control over their personal information.

(Original signed by)

Daniel Therrien
Privacy Commissioner of Canada

Results Highlights

What funds were used?

$24,181,404

Actual Spending

Who was involved?

175

Actual FTEs

Results Highlights

- ✓ Laid the groundwork for, and began advancing the OPC's 2015-2020 strategic privacy priorities to anticipate key, emerging trends that are likely to have the greatest impact on the protection of Canadians' personal information. For example, launched public consultations on online reputation and planned consultations on the issue of consent.
- ✓ Invested in building effective partnerships with existing and new stakeholders to maximize expertise and resources to achieve positive outcomes for Canadians. Enhanced public education efforts by developing and beginning to implement communications and outreach strategies aimed at increasing awareness of privacy rights among vulnerable populations such as youth and seniors, and knowledge of privacy obligations among small businesses.
- ✓ Improved services to Canadians through process enhancements, for instance, with the introduction of a new "smart" information request form resulting in a greater number of Canadians accessing the information services.
- ✓ Sought more timely resolution to complaints with a record-high use of early resolution to resolve complaints under both the *Privacy Act* and PIPEDA. Despite this, the OPC continues to see a large inventory of investigations exceeding 12 months due to limited capacity, volume and more complex or systemic privacy issues.

Section I: Organizational Overview

Organizational Profile

Appropriate Minister[1]**:** Jody Wilson-Raybould

Institutional Head: Daniel Therrien

Ministerial portfolio[2]**:** Department of Justice Canada

Enabling Instrument(s): *Privacy Act*[i], R.S.C. 1985, c. P-21; *Personal Information Protection and Electronic Documents Act*[ii], S.C. 2000, c.5

Year of Incorporation / Commencement: 1982

Organizational Context

Raison d'être

As an agent of Parliament, the Privacy Commissioner of Canada reports directly to the House of Commons and the Senate. The mandate of the Office of the Privacy Commissioner of Canada (OPC) is to oversee compliance with both the *Privacy Act*, which covers the personal information-handling practices of federal government institutions, and the *Personal Information Protection and Electronic Documents Act* (PIPEDA), Canada's federal private sector privacy law, along with some aspects of Canada's anti-spam law (CASL). The OPC's mission is to protect and promote the privacy rights of individuals.[3]

Responsibilities

The Privacy Commissioner's powers to further the privacy rights of Canadians include:

- investigating complaints, conducting audits and pursuing court action under the authority of the *Privacy Act* and PIPEDA;
- publicly reporting on the personal information-handling practices of public and private sector organizations;
- supporting, undertaking and publishing research into privacy issues; and
- promoting public awareness and understanding of privacy issues.

The Commissioner works independently of government to investigate federal public sector-related complaints from individuals under the *Privacy Act*, and complaints related to the private sector under PIPEDA. He also has some designated responsibilities to ensure compliance with CASL. While his mandate to investigate includes mediation and conciliation, the Commissioner

[1] The Commissioner works independently of government cabinet ministers and reports directly to Parliament. For the purposes of tabling Main Estimates, DPRs, and RPPs, the Commissioner submits reports via the Minister of Justice.
[2] *Ibid*
[3] Reference is made to "individuals" in accordance with the legislation.

has the power to summon witnesses, administer oaths, and compel the production of evidence. In cases where the investigation does not result in a voluntary agreement/resolution and remains unresolved, the Commissioner may seek an order from the Federal Court to address the situation under certain circumstances.

Strategic Outcome(s) and Program Alignment Architecture (PAA)

1. **Strategic Outcome:** The privacy rights of individuals are protected
    - **1.1 Program:** Compliance Activities
    - **1.2 Program:** Research and Policy Development
    - **1.3 Program:** Public Outreach
    - **Internal Services**

Operating Environment and Risk Analysis

The Office continues to operate in a dynamic, challenging environment both from an operational and a fundamental privacy perspective.

The unrelenting speed of technological change is outpacing privacy protections and posing both legal and ethical challenges. New and sophisticated techniques are being developed to make profit off personal information. These issues pose formidable challenges to the OPC and its counterparts around the world.

There is continuing pressure on both public and private sector organizations to expand how they access and use personal information, in ways that increasingly stretch current legal and governance structures. New economic models are emerging based on the mining of personal information.

Moreover, the increasing amount of personal information exchanged between private and public sector organizations continues to pose challenges to privacy and accountability. Initiatives to expand surveillance powers, facilitate warrantless disclosures, or broaden government access to personal information held by private sector organizations have given rise to heightened privacy concerns. This has prompted court actions to contain government surveillance practices, ensure effective accountability, and stress the importance of due process. A rising awareness of government surveillance has also generated proposals to reform existing oversight and control measures.

Privacy issues are becoming more inter-disciplinary and cross-jurisdictional, requiring the OPC to increase information-sharing and coordination efforts with other national and international data protection authorities in order to strengthen global enforcement and enhance policy development.

Increasingly, Canadians are looking to engage with our Office online, either to find information on our website or to seek our assistance, which increases the importance of our digital communications and the need to enhance them. In the last few years, we have built new online tools, such as an online information request form and a tool Canadians can use to share their privacy comments and concerns. These additional tools have provided Canadians with more opportunities to engage with our Office and seek our assistance, but it has also increased volume, and we need to position ourselves to better fill the knowledge gap.

In addition to those noted above, other key trends have caused the volume and complexity of the OPC's work to increase. For example, mandatory breach notification requirements in the public sector, increasing concerns about private sector breaches, the coming into force of CASL, the increased complexity of complaints and investigations, rapidly evolving information technologies, and a very active Parliamentary agenda with considerable privacy implications, have all posed significant strains on the OPC's resources.

The OPC has nonetheless effected much positive change on behalf of Canadians. The OPC has demonstrated sound stewardship and management practices, realizing significant efficiencies through optimization of resources and business re-engineering. However, it is getting to a point where the Office is unable to keep pace with demand. At the same time, 90 percent of Canadians feel they are losing control of their personal information and they expect to be better protected.

With the new strategic priorities, the OPC is focusing its work where it will have the most impact. With targeted outreach strategies, research and policy development in areas where there are gaps in understanding, and focused compliance activities in areas with the greatest risks to privacy, the OPC is working towards improved privacy protection and increasing the control Canadians have over their personal information.

Key Risks

Risk	Risk Response Strategy	Link to the organization's program(s)
The first related to the OPC's ability to effectively manage and use its information holdings in order to support effective operations and decision-making. This risk was ranked medium in terms of likelihood and high in terms of impact.	To mitigate this risk the OPC deployed efforts to leverage its existing systems and tools, for instance, through the increased capacity and use of its Knowledge Center, and the sharing of business intelligence and trend information across programs. The OPC also undertook a recordkeeping and disposition project to ensure it effectively manages its information holdings. This project will carry over into 2016-17.	1.1 Compliance Activities 1.2 Research and Policy Development 1.3 Public Outreach Internal Services
The second related to the OPC's ability to meet its obligations given the significant increase in volume and complexity of business and existing fiscal constraints. This risk was also identified in 2014-15. This risk was ranked high in terms of likelihood and moderate in terms of impact.	The OPC continued to focus on privacy issues of importance to Canadians through the development of its strategic privacy priorities. To effectively support this work, the Office carefully guided the allocation of its limited resources through a detailed gap analysis and made sure resources were aligned to priority areas. While the Office delivered on the majority of its commitments set out in the 2015-16 Report on Plans and Priorities, the growing volume and complexity of	1.1 Compliance Activities 1.2 Research and Policy Development 1.3 Public Outreach

Risk	Risk Response Strategy	Link to the organization's program(s)
	complaints resulted in the OPC not fully meeting its service standards for investigations. Only 77 % of investigations conducted under the Privacy Act and 76 % of investigations conducted under PIPEDA were completed under 12 months. This despite making record use of early resolution to resolve complaints, where 37 % of investigations under the Privacy Act and 50 % of those conducted under PIPEDA were resolved using early resolution. Efforts will continue in 2016-17 to find ways to improve performance against service standards.	
The third related to the OPC's ability to meet the public's expectations as privacy concerns increase in the face of statutory limitations, fiscal constraints and increased workload. This risk was also identified in 2014-15. This risk was ranked medium in terms of its likelihood and moderate in terms of its impact.	To remain responsive to Canadians, the Office enhanced its use of technology, for instance, with the introduction of a "smart" online information request form. This form was widely used. A new online form was also implemented where Canadians can express their concerns about privacy matters without submitting a formal complaint. The OPC commenced the overhaul of its website to better meet the information needs of Canadians. Work to mitigate this risk will continue in 2016-17.	1.1 Compliance Activities 1.2 Research and Policy Development 1.3 Public Outreach

Organizational Priorities

Priority 1: Advance the new privacy priorities

Description

The OPC set out to renew its privacy priorities, which guide its forward-thinking work and ensure that the Office can anticipate key, emerging areas that are likely to have the greatest impact on the protection of Canadians' personal information. Renewing these priorities enhances the Office's ability to inform parliamentarians. It also enables the OPC to better leverage its limited resources to maximize its potential of having a significant positive impact on protecting and promoting individuals' privacy rights.

Priority Type[4]*:*
New priority

Key Supporting Initiatives

Planned Initiatives	Start Date	End Date	Status	Link to the Organization's Program(s)
Identify short-term opportunities to advance the priorities.	May 2015	June 2015	Completed	1.1 Compliance Activities 1.2 Research and Policy Development 1.3 Public Outreach
Develop a multi-year, multi-pronged action plan for each privacy priority.	June 2015	October 2015	Completed	1.1 Compliance Activities 1.2 Research and Policy Development 1.3 Public Outreach

Progress Towards the Priority

The OPC laid the groundwork for advancing its privacy priorities for the coming years through the development of short-, medium- and long-term action plans. As part of it short-term activities, the OPC published research papers and guidance documents, and sought public comment on privacy issues to increase awareness of, and promote discussion about, issues of greatest risk to Canadians. The OPC also launched three proactive technical projects to increase its focus on technology as a solution to evolving privacy issues.

In an effort to enhance public education efforts, while making the most efficient use of limited resources, the OPC developed and began to implement communications and outreach strategies aimed at increasing awareness of privacy rights among vulnerable populations such as youth and seniors, and knowledge of privacy obligations among small businesses.

The Office integrated the priorities across all of its compliance work, allowing it to assess its investigations, breach report reviews, audits and Privacy Impact Assessments (PIA) through the lens of the strategic priorities.

Finally, the OPC aligned its financial and human resources planning activities to effectively support the advancement of the priorities and developed an evaluation framework to allow the Office to measure the outcomes it achieved for Canadians through the advancement of these priorities.

[4] Type is defined as follows: previously committed to—committed to in the first or second fiscal year prior to the subject year of the report; ongoing—committed to at least three fiscal years prior to the subject year of the report; and new—newly committed to in the reporting year of the Report on Plans and Priorities or the Departmental Performance Report.

Priority 2: Optimize organizational capacity and agility

Description
The OPC must make the best use of existing human and financial resources to deal effectively with an ever-increasing volume and complexity of work, while meeting the expectations of the public and other stakeholders in addressing privacy concerns. To maximize efficiency and impact, the Office must maintain flexibility in service delivery and the use of its compliance tools in an environment of rapidly evolving technologies and privacy issues.

Priority Type:
New priority

Key Supporting Initiatives

Planned Initiatives	Start Date	End Date	Status	Link to the Organization's Program(s)
Innovate through service improvement initiatives that balance standardization and flexibility, while managing stakeholder expectations.	April 1, 2015	Ongoing	Ongoing	1.1 Compliance Activities 1.2 Research and Policy Development 1.3 Public Outreach Internal Services
Enhance and optimize the use of Information Management/Information Technology (IM/IT), and increase horizontal collaboration to maximize effectiveness and productivity.	April 1, 2015	Ongoing	Ongoing	1.1 Compliance Activities 1.2 Research and Policy Development 1.3 Public Outreach Internal Services

Progress Towards the Priority

The OPC made important progress with respect to this priority in 2015-16. The Office used enhanced processes, including the application of the multiple complaint strategy, increased use of early resolution, and improved investigation tools, to investigate complaints in a proportionate manner. Efforts also continued to find additional process efficiencies. For example, a robust Risk Management Framework was developed to further streamline *Privacy Act* investigations and to target resources to address issues of greatest importance for Canadians. Similar efforts were applied to privacy breach reviews. Such initiatives contribute to the privacy protection of the population while maintaining quality and procedural fairness.

The Office continued to ensure compliance with PIPEDA obligations through the use of a range of compliance tools (e.g., Privacy Sweep) that are less resource-intensive than formal investigations for both the OPC and private-sector organizations.

In anticipation of the coming into force of regulations under S-4 (*Digital Privacy Act)* and the expected

influx of breach reports to the OPC, the Office made enhancements to the breach response unit's structure and capacity, and identified candidate cases for new 'compliance agreements' which are court-enforceable agreements entered into with organizations regarding commitments and undertakings.

The OPC implemented a new "smart" online information request form, as well as a new online form where Canadians can express their concerns about privacy matters. The request form resulted in an even greater number of Canadians accessing the OPC's Information Centre services, enabling them to better understand their rights, protect their privacy, and address issues with organizations holding their personal information. The new tools resulted in a nearly 400 percent increase in written information requests to the Office.

OPC studies indicate that Canadians and organizations look first to the Internet when they need privacy help. As such, in 2015-16, the OPC began a comprehensive exercise to overhaul its website to better meet the needs of Canadians – from both a technical and content perspective. The new site will be launched in early 2016-17. By redesigning the website, the OPC will ensure that it provides Canadians with a more user-friendly platform, rich with clear, timely, and actionable advice they can use to assert their privacy rights and protect their personal information. . It will also make it easier for organizations to find the information and guidance they need to protect the personal information they collect, use and disclose. It will be important to find ways to continue to invest in the OPC website in the years following the launch to ensure it continues to meet the needs of users.

Priority 3: Enhance partnership and collaboration opportunities

Description
Many privacy issues are borderless in nature, requiring the OPC to collaborate with provincial and international partners. Further enhancing collaboration and engagement with stakeholders helps ensure that OPC guidance and recommendations are coordinated and effective. Working in tandem with provincial and international counterparts helps to maximize expertise and resources to achieve positive outcomes for Canadians.

Priority Type:
New priority

Key Supporting Initiatives

Planned Initiatives	Start Date	End Date	Status	Link to the Organization's Program(s)
Build relationships with new stakeholders.	April 1, 2015	Ongoing	Ongoing	1.1 Compliance Activities 1.2 Research and Policy development 1.3 Public Outreach
Seek new ways of collaborating with existing stakeholders.	April 1, 2015	Ongoing	Ongoing	1.1 Compliance Activities 1.2 Research and Policy Development 1.3 Public Outreach

Progress Towards the Priority

The OPC made important progress towards this priority in 2015-16. On the international front, the OPC was elected as member of the Executive Committee of the International Conference of Data Protection and Privacy Commissioners (ICDPPC), and became actively involved in the strategic direction of the ICDPPC, as well as the planning of annual conferences. In fact, the Office hosted Data Protection Authorities from 14 countries around the globe at the June 2015 ICDPPC Enforcement Collaboration meeting in Ottawa.

The OPC also continued its active participation in various international forums, including the Common Thread Network, as co-chair, as well as the Asia-Pacific Privacy Authorities (APPA) and the *Association francophone des autorités de protection des données personnelles* (AFAPDP), the International Standards Organization (ISO), the International Working Group on Data Protection in Telecommunications, and the Commission for the Control of Interpol's Files. The OPC also continued to provide input into the privacy policy related work being planned and carried out by the Organisation for Economic Co-operation and Development's (OECD) Working Party on Security and Privacy in the Digital Economy, through Innovation, Science and Economic Development Canada. By engaging with international partners and stakeholders involved in privacy policy work through information and knowledge-sharing initiatives, the OPC contributed to advancing Canadians' privacy rights globally. The Office also participated in the GPEN Global Privacy Sweep focused on Children's Privacy and the CASL-related London Action Plan.

Nationally, the Office began a project to identify key technical stakeholders who are doing innovative work on privacy-related technologies in Canada. To support the new communications and outreach initiatives for youth, seniors and small businesses, the OPC also engaged with a number of new stakeholder groups to develop and disseminate information and advice to target audiences. These groups included national organizations serving youth and seniors, such as the Boys and Girls Clubs of Canada and the Canadian Association of Retired Persons (CARP), as well as national associations serving small businesses, such as the Canadian Chamber of Commerce and the Canadian Federation of Apartment Associations. Through its Toronto office, the OPC also sought partnerships (e.g. Ontario Regional Small and Medium Enterprise Network) and collaboration to enhance privacy awareness among subject matter experts.

The OPC along with the Offices of the Information and Privacy Commissioner in Alberta and British Columbia updated a self-assessment tool to help organizations secure personal information and published joint "Bring Your Own Device" guidelines to help organizations address the serious privacy and security concerns associated with the use of mobile devices for both business and personal use. All federal, provincial and territorial Information and Privacy Commissioners in Canada also issued a joint resolution on information sharing initiatives.

Section II: Expenditure Overview

Actual Expenditures

Budgetary Financial Resources (dollars)

2015-16 Main Estimates	2015-16 Planned Spending	2015-16 Total Authorities Available for Use	2015-16 Actual Spending (authorities used)	Difference (actual minus planned)
24,327,294	24,327,294	24,918,560	24,181,403	(145,891)

The increase between Planned Spending and Total Authorities during 2015-16 represents funding received related to the carry forward and an adjustment to the employee benefit plans.

Human Resources (Full Time Equivalents [FTEs])

2015-16 Planned	2015-16 Actual	2015-16 Difference (actual minus planned)
181	175	(6)

As of March 31, 2016, the Office had 175 employees. The variance of 6 full-time equivalents is attributed to normal turnover in personnel.

Budgetary Performance Summary

Budgetary Performance Summary for Program(s) and Internal Services (dollars)

Program(s) and Internal Services	2015-16 Main Estimates	2015-16 Planned Spending	2016-17 Planned Spending	2017-18 Planned Spending	2015-16 Total Authorities Available for Use	2015-16 Actual Spending (authorities used)	2014-15 Actual Spending (authorities used)	2013-14 Actual Spending (authorities used)
1.1 Compliance Activities	11,675,374	11,675,374	11,406,623	11,406,623	12,087,188	11,963,491	12,031,142	11,423,619
1.2 Research and Policy Development	3,835,821	3,835,821	3,381,673	3,381,673	3,479,064	2,942,391	3,040,117	2,968,987
1.3 Public Outreach	3,097,548	3,097,548	2,401,395	2,401,395	2,319,763	2,296,196	2,508,474	2,698,747
Internal Services Subtotal	5,718,551	5,718,551	7,328,553	7,328,553	7,032,545	6,979,325	7,990,102	11,027,772
Total	**24,327,294**	**24,327,294**	**24,518,244**	**24,518,244**	**24,918,560**	**24,181,403**	**25,569,835**	**28,119,125**

A significant decrease can be noted in OPC's overall spending between 2013-14 ($28.1M) and 2014-15 ($25.6M) as Internal Services expenditures for 2013-14 included one-time costs related to the 2014 move of the OPC headquarters to a new building at 30 Victoria Street in Gatineau, Quebec.

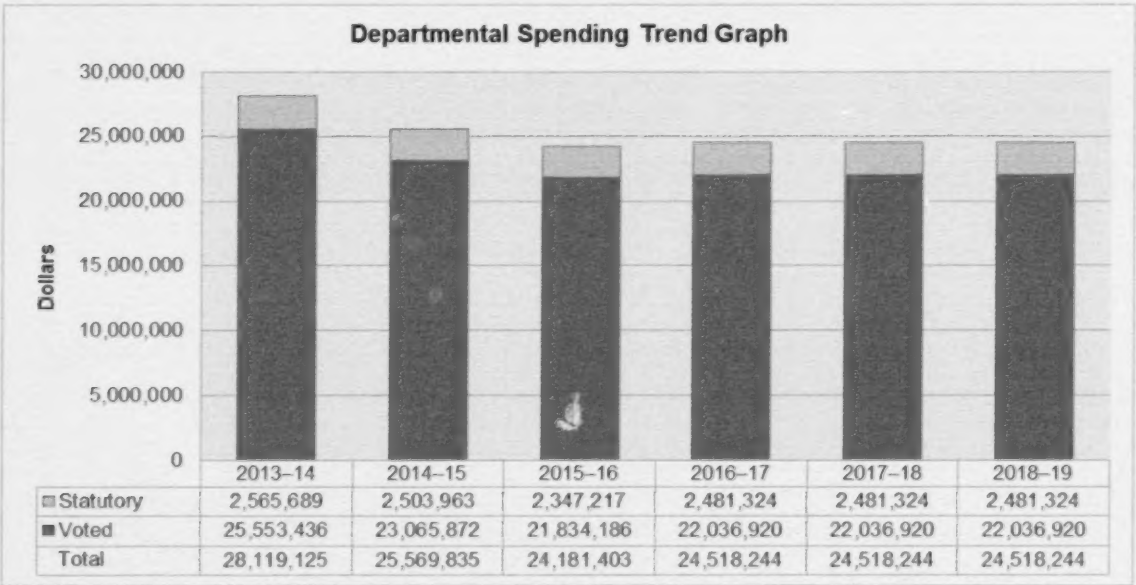
It is also noted that there is a shift in planned spending versus actual spending in 2015-16 between internal services and the OPC's other three programs. This can be explained by a slight shift in the alignment of activities within these programs and the application of the Treasury Board of Canada Secretariat's *Guide on Internal Services Expenditures: Recording, Reporting and attributing*. This guide clarifies what constitutes internal services expenditures versus program expenditures. Starting in 2016-17, planned spending reflects adjustments following the introduction of this new guide.

Departmental Spending Trend

The graph below illustrates the OPC's spending trend over a six-year period. From 2013-14 to 2015-16, the figures reflect the actual expenditures. This fluctuation is essentially due to the funding provided for the relocation of the Office from Ottawa to Gatineau in 2013-14. Further, the decrease from 2014-15 to 2015-16 is attributable to the completion of residual work related to this relocation.

The spending trend starting in 2016-17 and ongoing is expected to remain stable at approximately $22.0M. Since 2015-16, the Office has included in its authority an amount of $115,000 for revenues received in a fiscal year through the provision of internal support services to other organizations to offset associated expenditures incurred in the fiscal year pursuant to paragraph 29.1(2)(a) of the *Financial Administration Act.*

The statutory expenditures are the Office's share of the employer portion of the annual employee benefit plan (EBP) costs.



	2013–14	2014–15	2015–16	2016–17	2017–18	2018–19
Statutory	2,565,689	2,503,963	2,347,217	2,481,324	2,481,324	2,481,324
Voted	25,553,436	23,065,872	21,834,186	22,036,920	22,036,920	22,036,920
Total	28,119,125	25,569,835	24,181,403	24,518,244	24,518,244	24,518,244

Expenditures by Vote

For information on the Office of the Privacy Commissioner of Canada's organizational voted and statutory expenditures, consult the *Public Accounts of Canada 2016.*[iii]

Alignment of Spending with the Whole-of-Government Framework

Alignment of 2015–16 Actual Spending with the Whole-of-Government Framework[iv] (dollars)

Program	Spending Area	Government of Canada Outcome	2015–16 Actual Spending
1.1 Compliance Activities	Government Affairs	A transparent, accountable, and responsive federal government	**11,963,491**
1.2 Research and Policy Development	Government Affairs	A transparent, accountable, and responsive federal government	**2,942,391**
1.3 Public Outreach	Government Affairs	A transparent, accountable and responsive federal government	**2,296,196**

Total Spending by Spending Area (dollars)

Spending Area	Total Planned Spending	Total Actual Spending
Economic Affairs	0	0
Social Affairs	0	0
International Affairs	0	0
Government Affairs	**18,608,743**	**17,202,078**

Financial Statements and Financial Statements Highlights

Financial Statements

Information on the OPC's audited financial statements can be found on its website[v].

Financial Statements Highlights

The financial highlights presented below are drawn from the OPC's financial statements which are prepared on an accrual accounting basis while the planned and actual spending amounts presented elsewhere in this report are prepared on an expenditure basis. As such, amounts differ.

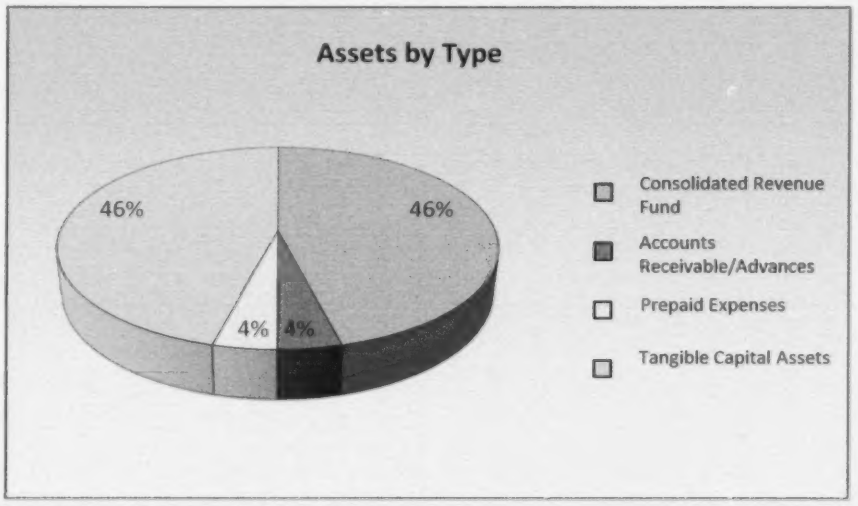
Condensed Statement of Operations
For the Year Ended March 31, 2016 (dollars)

Financial Information	2015-16 Planned Results	2015-16 Actual	2014-15 Actual	Difference (2015-16 actual minus 2015-16 planned)	Difference (2015-16 actual minus 2014-15 actual)
Total expenses	28,390,590	27,377,301	27,942,812	(1,013,289)	(565,511)
Total revenues	0	(25,000)	0	(25,000)	(25,000)
Net cost of operations before government funding and transfers	28,390,590	27,352,301	27,942,812	(1,038,289)	(590,511)

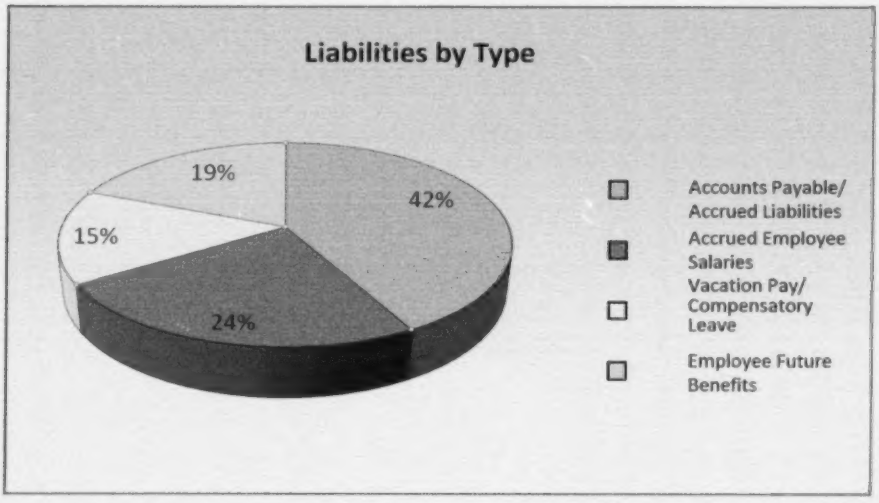
Condensed Statement of Financial Position
As at March 31, 2016 (dollars)

Financial Information	2015-16	2014-15	Difference (2015-16 minus 2014-15)
Total net liabilities	5,095,247	4,669,595	425,652
Total net financial assets	3,323,256	2,733,148	590,108
Departmental net debt	1,771,991	1,936,447	(164,456)
Total non-financial assets	3,287,345	3,609,053	(321,708)
Departmental net financial position	1,515,354	1,672,606	(157,252)

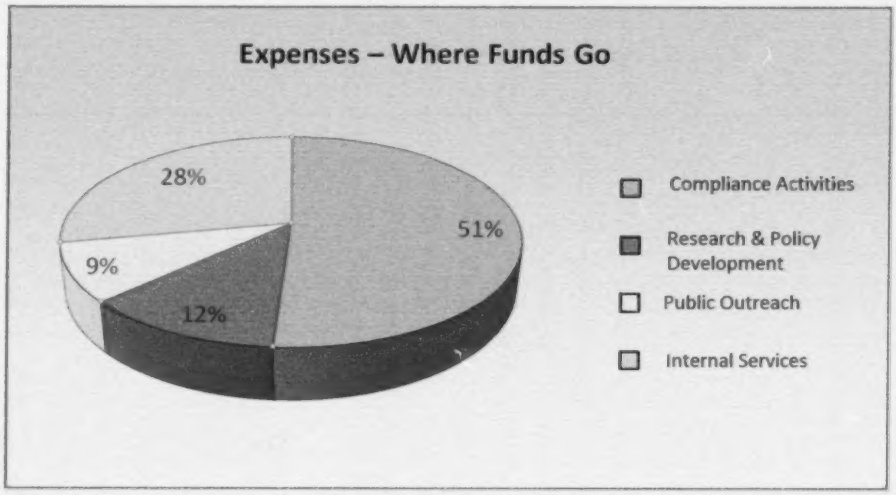
Total assets were $6,612K at the end of 2015-16, an increase of $270K (4 percent) over the previous year's total assets of $6,342K. Of the total assets, the Consolidated Revenue Fund totaled $3,041K (46 percent) while $3,048K (46 percent) represented Tangible Capital



Assets. Accounts Receivable and Advances and Prepaid Expenses accounted for four percent each of total assets, respectively.



Total liabilities were $5,095K at the end of 2015-16, an increase of $426K (9 percent) over the previous year's total liabilities of $4,669K. Accounts Payable/Accrued Liabilities represented the largest portion of the total liabilities, at $2,127K (42 percent). Employee Future Benefits represented a smaller portion of liabilities, at $976K, or 19 percent of the total. Vacation Pay and Compensatory Leave and Accrued Employee Salaries accounted for 15 percent and 24 percent of total liabilities, respectively.



Total expenses for the OPC were $27,377K in 2015-16.The largest share of the funds, $13,931K, or 51 percent, was spent on Compliance Activities, while Internal Services represented $7,517K of the expenditures or 28 percent of the total. Research and policy development represented $3,354K, or 12 percent, of total expenses. Public Outreach efforts represented $2,575K of the expenditures, or 9 percent of the total. (Note that expenses by program activity might differ from those identified in the Public Accounts of Canada due to the methodology used to prorate the allocation in the financial statements as well as the inclusion of related party transactions.)

Section III: Analysis of Program(s) and Internal Services

Programs

Program 1.1: Compliance Activities

This Program oversees compliance with federal privacy legislation for public- and private-sector organizations, thus contributing to the protection of Canadians' privacy rights. Through this Program, the OPC investigates privacy-related complaints and responds to inquiries from individuals and organizations, reviews breach reports and has the power to initiate its own investigations when warranted (Commissioner-initiated complaints). Through audits and reviews, the OPC also assesses how well organizations are complying with requirements set out in the two federal privacy laws, and provides recommendations on Privacy Impact Assessments (PIAs), pursuant to the Treasury Board *Directive on Privacy Impact Assessment*. This program is supported by a legal team that provides specialized advice and litigation support, and a research team with senior technical and risk-assessment support.

Program Performance Analysis and Lessons Learned

The OPC continued to face a growing volume and complexity of compliance work in 2015-16, making it difficult to meet performance targets in terms of investigations. While 97 percent of information requests were responded to within service standards, only 77 percent of *Privacy Act* complaints and 76 percent of PIPEDA complaints were closed within 12 months. Despite an historic high of 37 percent of *Privacy Act* complaints and 50 percent of PIPEDA complaints being closed through the early resolution process, the OPC continues to see a large inventory of investigations exceeding 12 months for complaints that raise more complex or systemic privacy issues. At the end of the reporting period, 29 percent of the Office's *Privacy Act* complaints caseload was active for over 12 months (258 investigations), while on the PIPEDA side, 19 percent of complaints caseload was active for over 12 months (32 investigations).

The implementation of a new online information request form during the year gave Canadians the ability to send enquiries to our Office electronically. It immediately became very popular and increased the volume of written enquiries that our Office receives by nearly 400 percent (going from 555 written information requests in 2014-15 to 2,097 requests in 2015-16).

Data breaches reported by federal institutions hit an all-time high of 297 in fiscal year 2015-16. Given continual annual increases, the Office was only able to provide general guidance to institutions and conduct a cursory review of many of the breach reports submitted.

On June 18, 2015, the *Digital Privacy Act* (Bill S-4) was passed. The Act amended PIPEDA to introduce a mandatory breach reporting regime, and other amendments such as the ability for OPC to enter into compliance agreements with organizations. The mandatory breach reporting regime will come into effect once regulations are drafted and will require organizations experiencing a breach that presents a real risk of significant harm to notify affected individuals,

and report to the OPC. In the meantime, the Office continues to receive breach reports on a voluntary basis and experienced a doubling of breach reports in 2015-16. The concurrent receipt of multiple, highly complex breach reports can quickly overload our investigative breach staff, and as a consequence, place strain on the core investigative unit by displacing capacity.

To manage these increasing workloads and remain responsive to Canadians, the Office continued its efforts to improve its processes and tools. For *Privacy Act* investigations, the Office developed more simplified reports, strengthened intake and early resolution, and strengthened relationships with federal institutions. There was also ongoing focus on the multiple complaints strategy, which gives the Office the ability to manage situations where it receives significant quantities of complaints from a small group of individuals. The Office developed a risk-based case management strategy to help evaluate complaints and identify the optimal course of action. The Office expects that this strategy will further assist in finding efficiencies in the investigative process.

For PIPEDA investigations, an increase in matters that were well-founded and conditionally resolved is an indication of the growing complexity of issues under investigation. Such matters often require greater time for the respondent to fully address concerns through structural, technological and/or behavioral adjustments, and may not yet be fully resolved upon issuance of our final report, thus resulting in a conditionally resolved disposition. Complaints related to the same respondent(s) and particular issue(s) were examined in a bundled fashion through umbrella investigations.

The OPC continued to collaborate, where appropriate, with federal and provincial partners on investigations, as well as joint investigations with other Data Protection Authorities (DPAs), including the Irish DPA (Facebook Investigation) and the Office of the Australian Information Commissioner (Ashley Madison breach investigation). The OPC also completed its first investigation under CASL and continued collaboration on CASL matters with domestic partners (CRTC and Competition Bureau) and international partners (the London Action Plan (LAP), a group which promotes international anti-spam and telecommunications enforcement). As a member of LAP, the OPC signed on to an enforcement collaboration MOU with other international authorities with spam or electronic threat enforcement responsibilities. In April 2015, the Office issued an online guide[vi] and tip sheet for businesses[vii] doing e-marketing on their compliance responsibilities regarding address-harvesting. We also issued a tip sheet informing Canadians[viii] how they can protect their e-mail inbox, computers and mobile devices from spammers.

During the year, the OPC triaged the Privacy Impact Assessments (PIAs) it received from federal institutions to ensure those which pose the highest risk to privacy and which aligned with the new strategic priorities were reviewed as priorities. In addition, the OPC hosted its first ever web conference to respond to privacy concerns related to the implementation of the *Security of Canada Information Sharing Act* (SCISA) and advise those with a responsibility for the Act's implementation on PIA considerations. Over 130 federal public servants participated in the conference, demonstrating the high level of interest amongst the public service for ensuring privacy risks associated with increased information under the SCISA are appropriately identified and mitigated.

The OPC also held 13 formal consultations with federal institutions on unique initiatives. These consultations allowed the OPC to provide guidance on privacy risks from the outset of program development, including relevant considerations that should be included in eventual PIAs.

The OPC began its audit planning exercise and expects to complete it in 2016-17. This plan will be informed by the privacy priorities and will assist the OPC in focusing its resources on examining organizations' systems and practices that pose the greatest risks to privacy.

Finally, the OPC enhanced its technological support capacity and continued to streamline the delivery of its services in order to provide timely and relevant support to compliance activities and respond to increasingly complex privacy issues. The Office leveraged technology to handle legal services requests with the goal of enhancing the ability to respond to increasing demands in a timely way and reviewed its technology analysis methods and procedures to optimize its capacity and effective collaboration.

Budgetary Financial Resources (dollars)

2015-16 Main Estimates	2015-16 Planned Spending	2015-16 Total Authorities Available for Use	2015-16 Actual Spending (authorities used)	2015-16 Difference (actual minus planned)
11,675,374	11,675,374	12,087,188	11,963,491	288,117

Human Resources (FTEs)

2015-16 Planned	2015-16 Actual	2015-16 Difference (actual minus planned)
81	89	8

Performance Results

Expected Results	Performance Indicators	Targets	Actual Results
Intermediate Outcome			
1. Federal government institutions and private-sector organizations meet their obligations under federal privacy legislation.	1.1 Percentage of complaints and incidents (breach notifications and OPC interventions) that are resolved to the satisfaction of the OPC[5]	80%	79%

[5] A **complaint** is deemed resolved to the satisfaction of the OPC when it is closed with one of the following dispositions: Early Resolved, Well-founded and Resolved, Well-founded and Conditionally Resolved, Settled, Resolved, and Not Well-founded. An **incident** is deemed resolved when it does not indicate systemic/operational compliance issues with privacy legislation requiring OPC action or respondent's handling of incident appears acceptable to minimize the impact and mitigate the chance of a recurrence.

Expected Results	Performance Indicators	Targets	Actual Results
	1.2 Percentage of audit recommendations substantially implemented two years after publication of the final audit report	85%	100%
Immediate Outcomes			
2. Individuals receive responses to their information requests and complaints.	2.1 Percentage of information requests and complaints responded to within established service standards[6]	90%	83%
3. Federal government institutions and private-sector organizations receive advice and recommendations to improve their privacy practices, in compliance with federal privacy legislation and policies.	3.1 Percentage of the PIA-related advice that results in added privacy protection for government programs or initiatives	90%	93%

For indicator 1.2, the audit entity indicated that all thirteen recommendations have been either fully or substantially implemented.

For indicator 2.1, it is important to note that the percentage combines the timeliness for responses to 8,185 information requests and the completion of 350 PIPEDA-related complaints and 1,226 *Privacy Act*-related complaints. To reduce the overweighing of information requests, the calculation for this indicator was changed in 2015-16 to an average of the performance against service standards for each of the three activities.

Regarding indicator 3.1, the OPC received 29 responses to recommendations made after we reviewed PIAs and provided advice on initiatives that had privacy implications. Twenty-seven of these responses indicated that privacy protective measures had been or would be implemented by the institution in response to our recommendations. Some of the initiatives for which we received responses in 2015-16 were reviewed in previous fiscal years.

Program 1.2: Research and Policy Development

This Program advances privacy knowledge, develops policy positions and provides strategic advice on the full range of privacy issues to Parliamentarians, government institutions and private sector stakeholders.

[6] The service standard for responding to a complaint is 12 months from the date of acceptance and the service standards for responding to information requests are: within 1 business day for information requests received by phone or in person; and within 10 business days from date of receipt for written requests.

Through this program, the OPC serves as a centre of expertise on emerging privacy issues in Canada and abroad by researching trends and technological developments, monitoring and analysing legislative and regulatory initiatives, providing strategic legal, policy and technical advice on key issues and developing policy positions that advance the protection of privacy rights in both the public and private sectors.

An important part of the work involves supporting the Commissioner and senior officials in providing advice to Parliament on potential privacy implications of proposed legislation, government programs and private-sector initiatives. Since 2004, the Program includes the administration of the *Personal Information Protection and Electronic Documents Act* Contributions Program that funds independent privacy research and related knowledge translation initiatives, to advance knowledge and promote the practical application of that knowledge in ways that enhance privacy protection for Canadians.

Program Performance Analysis and Lessons Learned

Much of the OPC's research and policy work was focused on advancing the privacy priorities identified in the 2014-15 priority setting exercise that pose the greatest risk to Canadians' privacy. The OPC issued a report[ix] on its priorities and strategies in June 2015.

As part of that work, the OPC prepared a discussion paper on the consent model under its private sector law, which will form the basis for further discussions with stakeholders in 2016-17. The OPC also published a discussion paper on online reputation[x] and invited interested stakeholders to share their views on mechanisms to help individuals remove or correct their online information.

The OPC also published a research paper on the Internet of Things[xi] (IoT), with a focus on the retail and home environments. The paper examines privacy challenges created by IoT such as customer profiling, accountability, transparency, ethics of data collection and use, as well as device and information security. The Office also began examining new health applications and digital health technologies and their privacy implications with a view to producing guidance in the future. These projects have served to deepen the OPC's knowledge of emerging privacy issues and in the longer term will help advance the privacy protections associated with new technologies, products and services.

Additionally, as part of its privacy priority work, the Office published a comparative analysis[xii] of transparency reporting by the private sector in order to promote consistent and comparable practices in this area. It actively participated in a process with government and private sector organizations to develop a transparency report template. The OPC recommends that organizations be required to make statistical information related to information requests from government authorities public and that government institutions do the same.

The OPC appeared before Parliament seven times and submitted four briefs to standing committees from both chambers. This included comments on the privacy impacts of bills such as Bill C-51, the *Anti-Terrorism Act, 2015*, which broadens information sharing within government to combat terrorism, and Bill S-201, *An Act to Prohibit and Prevent Genetic Discrimination*, as well as participation in the Standing Committee on Access to Information, Privacy and Ethics

study on *Privacy Act* reform. The Office's interactions with Parliament were impacted by one of the longest election campaigns in Canadian history, immediately followed by a long fall break to allow the new Government to take office. The Office's written submissions and parliamentary appearances[xiii] are available on the OPC website.

The Office also issued two new guidance documents and updated nine existing guidance documents relating directly to the passage of Bill S-4, which amended the *Personal Information Protection and Electronic Documents Act*.

Continuing the OPC's close relationship with provincial and territorial counterparts, the Office collaborated with the Offices of the Information and Privacy Commissioner in Alberta and British Columbia to update the self-assessment tool to help organizations secure personal information.[xiv] This tool is intended to help institutions assess how well they are safeguarding the personal information they hold from risks such as unauthorized access. The Office also published joint "Bring Your Own Device" guidelines[xv] to help organizations address the serious privacy and security concerns associated with the use of mobile devices for both business and personal use. All federal, provincial and territorial Information and Privacy Commissioners in Canada also issued a joint resolution[xvi] on information sharing initiatives.

On the international front, the Office was elected as a member of the Executive Committee of the International Conference of Data Protection and Privacy Commissioners (ICDPPC), the largest global forum for data protection authorities. As part of the Executive, the Office is actively involved in the strategic direction of the ICDPPC, as well as the planning of annual conferences. The OPC also continued its involvement in other international data protection organizations, namely the Common Thread Network (which the OPC co-chairs), the Asia-Pacific Privacy Authorities (APPA), and the *Association francophone des autorités de protection des données personnelles* (AFAPDP). As well, the OPC hosted visiting officials from the Moroccan data protection authority as well as the Commissioner of Japan's Specific Personal Information Protection Commission. These engagements allowed the OPC to share knowledge and experiences with international partners and stakeholders to maximize the strategic impact of protecting Canadians' personal information globally.

The OPC Contributions Program, created in 2004, funds independent privacy research and related knowledge translation initiatives. Researchers are encouraged to propose projects that generate new ideas, approaches, and knowledge about privacy that organizations can apply to better safeguard personal information and that individual Canadians can use to make more informed decisions about protecting their privacy. In 2015-16, the OPC funded 11 research projects and knowledge dissemination initiatives totaling $495K. Examples of funded projects in the last fiscal year include a research initiative on privacy and fitness tracking devices, a knowledge translation project helping young teens understand online privacy policies, a research initiative on the privacy implications of vehicular infotainment platforms and telematics, and a series of one-hour radio shows broadcast across Canada on a wide-range of issues related to privacy and the protection of personal information.

The Office launched three proactive projects to enhance our knowledge and influence in the area of technology as a solution for privacy issues. One project is identifying key stakeholders in Canada who are developing technological privacy solutions. A second project is reviewing

Privacy Enhancing Technologies to assess their ability to provide practical privacy solutions now and in the future. A third project is increasing the Office's ability to evaluate and test new consumer products and services for privacy-related issues. This project will both increase our abilities and tools in this area, and provide valuable advice to Canadians.

Budgetary Financial Resources (dollars)

2015-16 Main Estimates	2015-16 Planned Spending	2015-16 Total Authorities Available for Use	2015-16 Actual Spending (authorities used)	2015-16 Difference (actual minus planned)
3,835,821	3,835,821	3,479,064	2,942,391	(893,430)

Human Resources (FTEs)

2015-16 Planned	2015-16 Actual	2015-16 Difference (actual minus planned)
29	20	(9)

Performance Results

Expected Results	Performance Indicators	Targets	Actual Results
Intermediate Outcome			
1. Public- and private-sector stakeholders are enabled to develop policies and initiatives that respect privacy rights.	1.1 Percentage of stakeholder requests for guidance on policies and initiatives that were responded to by the OPC	100%	100%
Immediate Outcomes			
2. Parliamentarians are able to draw on OPC expertise to identify and address privacy issues.	2.1 Percentage of requests from parliamentarians that were responded to by the OPC within service standards	100%	100%
3. Knowledge about privacy issues is advanced.	3.1 Increased take-up of OPC research	Annual increase relative to previous year	326,882 views and downloads of research papers and summaries (new baseline)

For indicator 1.1, in addition to responding to all requests for informal meetings to discuss privacy initiatives, the Office also provided formal responses to consultations and responses to proposed regulations pre-published in the Canada Gazette.

Regarding indicator 3.1, the calculation of this indicator has changed in order to more accurately measure take-up of research. Thanks to new web technology, the OPC can more easily track the number of views and downloads of research papers and project summaries posted on its website. It previously only reported on visits to Index pages.

Program 1.3: Public Outreach

This Program promotes public awareness and understanding of rights and obligations under federal privacy legislation. Through this program, the OPC delivers public education and communications activities, including speaking engagements and special events, exhibiting, media relations, and the production and distribution of promotional and educational material.

Through public outreach activities, individuals are informed about privacy and personal data protection. Such activities also enable federal and private-sector organizations to better understand their obligations under federal privacy legislation.

Program Performance Analysis and Lessons Learned

In 2015-16, the OPC worked to promote and explain the Office's new strategic privacy priorities. In addition to publishing a report explaining the new strategic privacy priorities of the Office, the Commissioner delivered a number of high-profile speeches to various audiences throughout the year to raise awareness of and further explain the priorities. These priorities were also communicated extensively through media responses, social media, and other communications vehicles.

During the privacy priorities-setting exercise, the OPC heard from many stakeholders that some groups of people are at particular risk from privacy threats. For example: young people face enhanced reputational risks as a result of the nature and vastness of the personal information they share online; and seniors, as relative newcomers to using digital technologies, may be less aware of the privacy risks they could encounter. As such, in the past fiscal year, the OPC developed and began to implement two outreach strategies intended to raise awareness of privacy issues and risks among these groups.

In support of these strategies, the OPC conducted a variety of outreach activities to communicate with youth and seniors to help them better understand privacy issues and learn how to protect their personal information. These efforts included, for example, three radio campaigns designed to encourage listeners to access privacy resources on our website. The campaigns highlighted general privacy tips, identity theft prevention, and our interactive "House Rules" tool to help families discuss online privacy issues. As well, the OPC conducted a campaign in public libraries promoting its *Identity Theft and You* guide[xvii] to over 240,000 library patrons. To extend its reach, the OPC began collaborating with youth-serving organizations in order to develop new resources and/or distribute existing resources, such as its graphic novel. For the seniors strategy, the OPC worked with public libraries and national organizations such as the Canadian Association of Retired Persons (CARP) to help inform seniors how they can protect their information and prevent identity theft.

The OPC also heard during discussions with stakeholders throughout the priority-setting exercise that small businesses are considerably less aware of their privacy obligations than larger businesses. This observation was also reflected in the results of the OPC survey of businesses conducted during the fiscal year. As such, the Office spearheaded an outreach strategy aimed at small businesses and focused, in part, on targeting specific sectors that have generated higher numbers of complaints to the OPC: the accommodations and retail sectors.

In support of this strategy, the OPC collaborated with other federal government departments such as Innovation, Science and Economic Development (ISED) to promote its resources to small businesses. It worked with industry associations, such as the Canadian Federation of Apartment Associations to develop and disseminate information and guidance that directly addresses this sector's privacy challenges and concerns. The OPC also began working with local chambers of commerce across the country to deliver presentations to their members. By the end of 2015-16, three presentations were delivered to chamber members in Charlottetown, Fredericton and Whitehorse, with three more presentations booked in London, Cambridge and Yellowknife, and additional presentations to be scheduled in 2016-17. The OPC also exhibited at a number of conferences and events across the country attracting small businesses, reaching over 10,000 entrepreneurs and small business owners.

The OPC continued work to vastly improve its website throughout the fiscal year. Efforts focused primarily on an extensive project to completely redesign the website to better meet the informational needs of its users. Work on the new site included the implementation of a new technology platform, as well as the development of a new visual design and information architecture. The OPC will launch the new site in early 2016-17. Work to revamp its website has helped the OPC better understand how to develop web content for Canadians — lessons it will implement as it develops new information for the public in the future.

Media relations—both proactive and reactive—remains an important tool for communicating with individuals and organizations about the OPC's work and privacy issues more generally. For example, in 2015-16, the OPC highlighted its involvement in the Global Privacy Enforcement Network's annual privacy sweep and raised awareness about youth privacy issues through the media, and op-eds by the Commissioner on Bill C-51 and warrantless access appeared in major French and English newspapers, adding to the public dialogue on public safety and privacy matters.

The OPC's use of social media to communicate is limited, given resources. However, despite this, it reached a milestone of over 10,000 followers on Twitter in 2015-16. The OPC uses its social media channels to promote findings and case summaries to increase businesses' awareness of PIPEDA obligations. As well, the OPC worked with ISED to share information for small businesses on how to comply with PIPEDA through ISED's dedicated small businesses Facebook and Twitter channels, which reach approximately 26,000 people.

To help Canadians better understand their privacy rights, the OPC implemented a "smart" online information request form. Not only does the form allow Canadians to ask questions about their privacy rights and responsibilities, it also provides them with context-specific information related to their entries (e.g., information about jurisdiction). This feature is intended to help users understand what the OPC can do to help them. It also helps them understand where to get help should their matter not fall within the OPC mandate or jurisdiction. As previously noted, since the introduction of the new form, written requests to the office nearly quadrupled, and statistics suggest that many users may have found the answers to their questions while using the smart form, without having to send in a query.

And finally, leveraging its proximity to significant clusters of industry sectors and organizations, the OPC's Toronto office conducted 159 outreach activities, produced 31 case summaries, and

generated various guidance materials in support of the OPC's priorities and strategies. A recent survey of stakeholders in the Greater Toronto Area (with a very high response rate), conducted by external evaluators in the context of the planned five-year evaluation of the Toronto office,[xviii] noted that 89.6 percent of stakeholders surveyed either "agree" or "strongly agree" that the information received and accessed from OPC's Toronto office was relevant; 84.1 percent found such information to be useful; and 51 percent acknowledged that it raised their awareness. The evaluation provided useful insight into the relevance and performance of the Toronto office and resulted in recommendations to ensure the Office makes optimal use of its regional office. The OPC will implement the recommendations in 2016-17.

Budgetary Financial Resources (dollars)

2015-16 Main Estimates	2015-16 Planned Spending	2015-16 Authorities Available for Use	2015-16 Actual Spending (authorities used)	2015-16 Difference (actual minus planned)
3,097,548	3,097,548	2,319,763	2,296,196	(801,352)

Human Resources (FTEs)

2015-16 Planned	2015-16 Actual	2015-16 Difference (actual minus planned)
21	16	(5)

Performance Results

Expected Results	Performance Indicators	Targets	Actual Results
Intermediate Outcome			
1. Federal government institutions and private-sector organizations better understand their obligations under federal privacy legislation and individuals better understand their rights.	1.1 Percentage of private-sector organizations that are moderately or highly aware of their obligations under federal privacy legislation	85%	82%
	1.2 Percentage of Canadians who feel they know about their privacy rights	30%	Biennial survey – next survey in 2016-17
Immediate Outcomes			
2. Federal government institutions and private-sector organizations have access to useful information about their privacy responsibilities and individuals have access to relevant and timely information to protect their privacy rights.	2.1 Annual increase in website visits	Visits to OPC websites increase year over year	Estimated increase of 5%

For indicator 1.1, the OPC has seen a gradual, slight decline in businesses' awareness of their privacy obligations since 2010. This decrease could be attributed to the increased and more diverse use of personal information by businesses, as well as the expanded use of technology by businesses. It should be noted that survey results indicate small businesses in particular, which

make up a significant portion of the overall Canadian economy, are even less aware of their privacy obligations than larger organizations, which is why the OPC is focusing more directly on this audience.

For indicator 1.2, the OPC surveys Canadians every two years to explore awareness, understanding, and perceptions of privacy-related issues. The next survey will occur in 2016–17 and the results will be communicated in the 2016-17 *Departmental Performance Report.*

For indicator 2.1, the percentage reported is an estimate only. In April 2015, the OPC implemented new technology on its website to improve filtering used to identify actual visitors, as opposed to automated site crawlers. As a result of this enhancement, the OPC expected the number of counted visits to the site to be approximately 30 percent lower in 2015-16. Given that the analytics tools reflected a decrease of approximately 25 percent, it is estimated that there was actually a modest increase (of 5 percent, as noted above) in overall visits in 2015-16.

Internal Services

Internal Services are groups of related activities and resources that are administered to support the needs of programs and other corporate obligations of an organization. The OPC's Internal Services include Management and Oversight Services, Human Resources Management Services, Financial Management Services, Information Management Services, Information Technology Services, Real Property Services, Materiel Services, Acquisition Services, and Travel and Other Administrative Services. Internal Services include only those activities and resources that apply across an organization and not those provided to a specific program.

Program Performance Analysis and Lessons Learned

In 2015-16, the OPC implemented a number of initiatives to support the organization in delivering its mandate and to implement mandatory Government of Canada transformation initiatives. The OPC is a small organization with limited capacity to handle a high volume of change initiatives and its Change Management Strategy was key in supporting the organization in the implementation of these changes. Some temporary investments were also made during the year to increase the Office's capacity to successfully deliver on these initiatives.

To ensure the OPC can adequately advance its privacy priorities, the Office conducted a gap analysis and realigned resources towards priorities-related work where possible.

With respect to financial management, the OPC implemented a new, integrated financial management solution that provides greater completeness, accuracy and timely information to support effective decision-making. The newly adopted Integrated Financial Management solution hosted by Canadian Human Rights Commission was successfully implemented and provides more complete information to support sound financial management. The OPC also documented and tested its entity level controls, as well as the assets and period close business processes. This work demonstrated the strengths of the OPC's controls in these areas. The few controls found to be ineffective have been subjected to a remediation action plan.

The OPC continued to implement transformational and whole-of-government initiatives with a focus on common business processes that support the OPC and the government's transformation agenda of standardized solutions (e.g., MyGCHR and Phoenix). Additionally, the OPC continued to enhance its human resources practices by supporting the implementation of central agency policy instruments such as the implementation of the new performance management systems and the Public Service Commission's new direction in staffing.

The Office continued its approach to ensure that the OPC effectively responds to the survey results from the 2014 Public Service Employee Survey, consulting with staff to better understand the results of the survey and to prioritize areas needing to be addressed.

The OPC continued to make learning a priority for its employees. External learning and development resources and a service level agreement with the Canada School of Public Service provided OPC employees with access to a broad range of foundational, management, executive, and technical learning opportunities. These opportunities contribute to strengthening employee health and well-being in the workplace and enable them to effectively carry out their duties.

The Office also implemented various IM/IT projects in line with the approved IM/IT Strategy and enhanced its IM/IT processes and practices. Specifically, it:

- Significantly advanced on the implementation of recommendations from the internal audit of IM/IT governance. All but one recommendation have been fully implemented and the final recommendation is expected to be completed by mid-2016-17; and,

- Made enhancements to the Office's new research tool (i.e., the Knowledge Centre) by improving the search function, continuing to add new content and promoting its use throughout the Office.

The design and development of a tool that will enable secure electronic collaboration and file-sharing between the OPC and external partners, as well as investigation complainants and respondents, was pushed to 2016-17 due to limited resources and competing priorities.

Throughout the year, the Office closely coordinated activities across the OPC and made full use of technology to carry out its work effectively and ensure knowledge capture and transfer. For instance, the Office continued to evaluate and refine the OPC intranet to ensure it responds to users' needs and SharePoint technology was used to manage, centrally, all work related to the privacy priorities.

And finally, the OPC continued to engage staff in dialogue around Blueprint 2020 opportunities to streamline processes and explored a number of opportunities for collaboration with other agents of Parliament and federal government departments to create efficiencies in the provision of internal services at the OPC, while maintaining the independence of the Office. In addition to moving to a new financial system hosted by the Canadian Human Rights Commission, the Office is now providing IT support services to the Office of the Commissioner of Lobbying. This year, another successful training workshop was held jointly for legal counsel among all agents of Parliament. Discussions will continue in 2016-17 to explore further shared service delivery models.

Budgetary Financial Resources (dollars)

2015-16 Main Estimates	2015-16 Planned Spending	2015-16 Total Authorities Available for Use	2015-16 Actual Spending (authorities used)	2015-16 Difference (actual minus planned)
5,718,551	5,718,551	7,032,545	6,979,326	1,260,775

Human Resources (FTEs)

2015-16 Planned	2015-16 Actual	2015-16 Difference (actual minus planned)
50	50	0

Performance Results

Expected Results	Performance Indicator	Target	Actual Results
The OPC achieves a standard of organizational excellence, and managers and staff apply sound business management practices.	Percentage of the Management Accountability Framework (MAF) areas rated strong or acceptable[7]	90%	Biennial self-assessment planned for 2016-17

[7] The MAF is a tool that outlines expectations for sound public management practices and performance. Each year most departments and agencies are assessed by the Treasury Board Secretariat (TBS) against this tool. As an agent of Parliament, the OPC is not subject to a MAF assessment by TBS. Nonetheless, the Office conducts a comprehensive self-assessment exercise against the MAF biennially, as well as a status update on improvements in the intervening years. The OPC uses this exercise as a report card on its 'state of management' and to provide a level of assurance to the Commissioner on the OPC's compliance with Treasury Board policies.

Section IV: Supplementary Information

Supporting Information on Lower-Level Programs

The OPC does not have lower-level programs as part of its Program Alignment Architecture.

Supplementary Information Tables

The supplementary information tables listed in the *2015-16 Departmental performance Report* are available on the OPC's website.[xix]

- Internal Audits and Evaluations;
- Departmental Sustainable Development Strategy (Greening Government Operations); and,
- User Fees, Regulatory Charges and External Fees.

Approved internal audit and evaluation reports are available on the OPC's website.[xx]

Federal Tax Expenditures

The tax system can be used to achieve public policy objectives through the application of special measures such as low tax rates, exemptions, deductions, deferrals and credits. The Department of Finance Canada publishes cost estimates and projections for these measures annually in the Report of Federal Tax Expenditures.[xxi] This report also provides detailed background information on tax expenditures, including descriptions, objectives, historical information and references to related federal spending programs. The tax measures presented in this report are the responsibility of the Minister of Finance.

Organizational Contact Information

30 Victoria Street
Gatineau, Quebec K1A 1H3
Canada

Telephone: 819-994-5444
Toll Free: 1-800-282-1376
Fax: 819-994-5424
TTY: 819-994-6591
Website: www.priv.gc.ca

Appendix: Definitions

appropriation *(crédit):* Any authority of Parliament to pay money out of the Consolidated Revenue Fund.

budgetary expenditures *(dépenses budgétaires):* Include operating and capital expenditures; transfer payments to other levels of government, organizations or individuals; and payments to Crown corporations.

Departmental Performance Report *(rapport ministériel sur le rendement):* Reports on an appropriated organization's actual accomplishments against the plans, priorities and expected results set out in the corresponding Report on Plans and Priorities. These reports are tabled in Parliament in the fall.

full-time equivalent *(équivalent temps plein):* Is a measure of the extent to which an employee represents a full person-year charge against a departmental budget. Full-time equivalents are calculated as a ratio of assigned hours of work to scheduled hours of work. Scheduled hours of work are set out in collective agreements.

Government of Canada outcomes *(résultats du gouvernement du Canada):* A set of 16 high-level objectives defined for the government as a whole, grouped in four spending areas: economic affairs, social affairs, international affairs and government affairs.

Management, Resources and Results Structure *(Structure de la gestion, des ressources et des résultats)*: A comprehensive framework that consists of an organization's inventory of programs, resources, results, performance indicators and governance information. Programs and results are depicted in their hierarchical relationship to each other and to the Strategic Outcome(s) to which they contribute. The Management, Resources and Results Structure is developed from the Program Alignment Architecture.

non-budgetary expenditures *(dépenses non budgétaires):* Include net outlays and receipts related to loans, investments and advances, which change the composition of the financial assets of the Government of Canada.

performance *(rendement):* What an organization did with its resources to achieve its results, how well those results compare with what the organization intended to achieve and how well lessons learned have been identified.

performance indicator *(indicateur de rendement):* A qualitative or quantitative means of measuring an output or outcome, with the intention of gauging the performance of an organization, program, policy or initiative respecting expected results.

performance reporting *(production de rapports sur le rendement):* The process of communicating evidence-based performance information. Performance reporting supports decision making, accountability and transparency.

planned spending *(dépenses prévues):* For Reports on Plans and Priorities (RPPs) and Departmental Performance Reports (DPRs), planned spending refers to those amounts that receive Treasury Board approval by February 1. Therefore, planned spending may include amounts incremental to planned expenditures presented in the Main Estimates.

A department is expected to be aware of the authorities that it has sought and received. The determination of planned spending is a departmental responsibility, and departments must be able to defend the expenditure and accrual numbers presented in their RPPs and DPRs.

plans *(plan):* The articulation of strategic choices, which provides information on how an organization intends to achieve its priorities and associated results. Generally a plan will explain the logic behind the strategies chosen and tend to focus on actions that lead up to the expected result.

priorities *(priorité):* Plans or projects that an organization has chosen to focus and report on during the planning period. Priorities represent the things that are most important or what must be done first to support the achievement of the desired Strategic Outcome(s).

program *(programme):* A group of related resource inputs and activities that are managed to meet specific needs and to achieve intended results and that are treated as a budgetary unit.

Program Alignment Architecture *(architecture d'alignement des programmes):* A structured inventory of an organization's programs depicting the hierarchical relationship between programs and the Strategic Outcome(s) to which they contribute.

Report on Plans and Priorities *(rapport sur les plans et les priorités):* Provides information on the plans and expected performance of appropriated organizations over a three-year period. These reports are tabled in Parliament each spring.

result *(résultat):* An external consequence attributed, in part, to an organization, policy, program or initiative. Results are not within the control of a single organization, policy, program or initiative; instead they are within the area of the organization's influence.

statutory expenditures *(dépenses législatives):* Expenditures that Parliament has approved through legislation other than appropriation acts. The legislation sets out the purpose of the expenditures and the terms and conditions under which they may be made.

Strategic Outcome *(résultat stratégique):* A long-term and enduring benefit to Canadians that is linked to the organization's mandate, vision and core functions.

sunset program *(programme temporisé):* A time-limited program that does not have an ongoing funding and policy authority. When the program is set to expire, a decision must be made whether to continue the program. In the case of a renewal, the decision specifies the scope, funding level and duration.

target *(cible):* A measurable performance or success level that an organization, program or initiative plans to achieve within a specified time period. Targets can be either quantitative or qualitative.

voted expenditures *(dépenses votées):* Expenditures that Parliament approves annually through an Appropriation Act. The Vote wording becomes the governing conditions under which these expenditures may be made.

Whole-of-Government *Framework* *(cadre pangouvernemental):* Maps the financial contributions of federal organizations receiving appropriations by aligning their Programs to a set of 16 government-wide, high-level outcome areas, grouped under four spending areas.

Endnotes

[i] *Privacy Act*, http://laws-lois.justice.gc.ca/eng/acts/P-21/FullText.html

[ii] *Personal Information Protection and Electronic Documents Act*, http://laws-lois.justice.gc.ca/eng/acts/P-8.6/FullText.html

[iii] *Public Accounts of Canada 2016*, http://www.tpsgc-pwgsc.gc.ca/recgen/cpc-pac/index-eng.html

[iv] **Whole-of-government framework**, http://www.tbs-sct.gc.ca/ppg-cpr/frame-cadre-eng.aspx

[v] **OPC Audited Financial Statements (note that amounts in the financial statements are rounded in thousands)**, https://www.priv.gc.ca/en/about-the-opc/opc-operational-reports/audits-and-evaluations-of-the-opc/audits-of-the-opc-conducted-by-federal-institutions/

[vi] **Anti-spam law's changes to Canadian federal privacy law: A Guide for businesses doing e-marketing**, https://www.priv.gc.ca/en/privacy-topics/privacy-laws-in-canada/the-personal-information-protection-and-electronic-documents-act-pipeda/legislation-related-to-pipeda/canadas-anti-spam-legislation/casl-compliance-help-for-businesses/casl_guide/

[vii] **Anti-spam law's changes to Canadian federal privacy law: Helpful tips for businesses doing e-marketing**, https://www.priv.gc.ca/en/privacy-topics/privacy-laws-in-canada/the-personal-information-protection-and-electronic-documents-act-pipeda/legislation-related-to-pipeda/canadas-anti-spam-legislation/casl-compliance-help-for-businesses/casl_tips_org/

[viii] *Top ten tips to protect your inbox, computer and mobile device*, https://www.priv.gc.ca/en/privacy-topics/technology-and-privacy/online-privacy/spam/casl_tips_ind/

[ix] **OPC Strategic Privacy Priorities 2015-2020**, https://www.priv.gc.ca/en/about-the-opc/opc-strategic-privacy-priorities/pp_2015/

[x] *Online Reputation: What are they saying about me?*, https://www.priv.gc.ca/en/opc-actions-and-decisions/research/explore-privacy-research/2016/or_201601/

[xi] **Research Paper on the Internet of Things**, https://www.priv.gc.ca/en/opc-actions-and-decisions/research/explore-privacy-research/2016/iot_201602/

[xii] **Comparative Analysis on Transparency Reporting by Private Sector Companies**, https://www.priv.gc.ca/en/opc-actions-and-decisions/research/explore-privacy-research/2015/transp_201506/

[xiii] **OPC's written submissions and parliamentary appearances**, https://www.priv.gc.ca/en/opc-actions-and-decisions/advice-to-parliament/

[xiv] *Securing Personal Information: A Self-Assessment Tool for Organizations*, https://services.priv.gc.ca/resource/tool-outil/security-securite/english/AssessRisks.asp?x=1

[xv] *Is a Bring Your Own Device (BYOD) Program the Right Choice for your Organization?*, https://www.priv.gc.ca/en/privacy-topics/technology-and-privacy/mobile-devices-and-apps/gd_byod_201508/

[xvi] **Joint Resolution on** *Protecting and Promoting Canadian's Privacy and Access Rights in Information Sharing Initiatives*, https://www.priv.gc.ca/en/about-the-opc/what-we-do/provincial-and-territorial-collaboration/joint-resolutions-with-provinces-and-territories/res_160125/

[xvii] *Identity Theft and You*, https://www.priv.gc.ca/en/privacy-topics/identity-and-privacy/identity-theft/guide_idt/

[xviii] **Evaluation of the Toronto Office**, https://www.priv.gc.ca/en/about-the-opc/opc-operational-reports/audits-and-evaluations-of-the-opc/internal-opc-audits-and-evaluations/2016/iac_to_2016/

[xix] **Supplementary Information Tables**, https://www.priv.gc.ca/en/about-the-opc/opc-operational-reports/reporting-of-opc-spending/departmental-performance-reports/2015-2016/st-ts/

[xx] **Approved OPC internal audits and evaluation reports**, https://www.priv.gc.ca/en/about-the-opc/opc-operational-reports/audits-and-evaluations-of-the-opc/internal-opc-audits-and-evaluations/

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